

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
ROANOKE DIVISION

ANDREW FIELDS, III,	)	
Plaintiff,	)	Civil Action Nos. 7:22-cv-00021
	)	
v.	)	
	)	
FEDERAL BUREAU OF PRISONS, <i>et al.</i> ,	)	By: Joel C. Hoppe
Defendants.	)	United States Magistrate Judge

**ORDER**

Plaintiff Andrew Fields, III, a federal inmate proceeding *pro se*, filed this civil rights action against more than twenty-five defendants. (*See generally* Dkt. No. 1.) The case was conditionally filed, and Fields was directed to submit certain information—a statement of assets, a prisoner trust account report, and six months’ worth of account statements for his prison trust account—to complete his request to proceed *in forma pauperis*. (Dkt. No. 2.)

Fields returned the statement of assets, and he returned a form with account statements for some of the required months, but he did not provide account statements for the months of July through September 2021, as required. Another order was entered directing that he provide that information. (Dkt. No. 4.)

In response, Fields filed a motion he has titled as a “Motion to Submit (IFP) Deficiency.” (Dkt. No. 5.) His motion explains that the prison where he is currently incarcerated, USP Lee, advised him that it cannot provide trust account statements for July, August, and September, because he has only been at USP Lee since October. (*Id.* at 2.) USP Lee does not have records from his prior institution(s) and, according to documents he submitted, has told him that it does not have access to them. (*Id.* at 2, 3.)

It is unclear whether he is asking that the court simply excuse him from providing those

months of statements or to direct USP Lee to provide them. Either way, his motion will be denied. It is Fields's obligation to obtain the proper trust account statements. If he cannot obtain statements for July, August, and September 2021 from USP Lee, then he must write to the facility or facilities where he was housed during those months and ask for the report to be completed and sent to him, along with the monthly statements. The court will grant Fields an extension of time to obtain and submit the proper documentation, however, recognizing that it may take longer to obtain from a different facility.

### **CONCLUSION AND ORDER**

For the foregoing reasons, plaintiff's motion (Dkt. No. 5) is DENIED. He shall obtain his trust account statements for July through September 2021 from his prior facility or facilities, and submit them to the court not later than forty-five days after entry of this Order. FAILURE OF THE PLAINTIFF TO SUBMIT THE REQUESTED INFORMATION WITHIN FORTY-FIVE (45) DAYS MAY RESULT IN DISMISSAL OF THIS ACTION WITHOUT PREJUDICE.

The Clerk is DIRECTED to provide a copy of this order to Fields and to provide him with two copies of the Prisoner Trust Account Report (docketed as Dkt. No. 4, at page 5).

It is so ORDERED.

ENTER: March 1, 2022

/s/ Joel C. Hoppe  
United States Magistrate Judge